

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

CLARENCE ANDERSON III,)	
)	
Petitioner,)	
)	
v.)	CIVIL ACTION NO.
)	2:23cv204-MHT
)	(WO)
HONORABLE FRANK KENDALL,)	
Secretary, et al.,)	
)	
Respondents.)	

OPINION

Pursuant to 28 U.S.C. § 1361, petitioner filed a request for mandamus relief seeking the dismissal of military criminal charges or a new trial. The respondents moved to dismiss. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that the motion to dismiss be granted, several defendants be dismissed pursuant to Rule 21 of the Federal Rules of Civil Procedure, and this action be dismissed with prejudice. Petitioner filed a response to the recommendation in which he makes clear that he does not object to the

recommendation, but requests that the court opine on several legal questions related to the military conviction he challenges. The court declines to address those issues. See *Golden v. Zwickler*, 394 U.S. 103, 108 (1969) (“(T)he federal courts established pursuant to Article III of the Constitution do not render advisory opinions.”) (citation omitted). After an independent and de novo review of the record, the court concludes that the magistrate judge’s recommendation should be adopted.

An appropriate judgment will be entered.

DONE, this the 21st day of March, 2024.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE